

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

KELVION WALKER

Plaintiff

v.

AMY WILBURN

Defendant

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**CAUSE NO. 3-13CV04896-K
(Judge Kinkeade)**

**SECOND SUPPLEMENT TO DEFENDANT'S
EMERGENCY MOTION FOR CONTINUANCE**

TO THE HONORABLE JUDGE KINKEADE:

COMES NOW, Amy Wilburn, Defendant in the above-styled and numbered cause, and files this her Second Supplement to Defendant's Emergency Motion for Continuance. In support thereof, Defendant respectfully submits as follows:

**I.
SUMMARY**

Robert A. "Bob" Fanning died on Saturday afternoon, November 2, 2019. Mr. Fanning, along with his friend and partner Harlan Harper, founded the firm of Fanning, Harper, Martinson, Brandt & Kutchin, P.C. The funeral service for Mr. Fanning has been set for November 12, 2019 at 3:00 pm.

**II.
BACKGROUND**

1. On October 31, 2019, Defendant Amy Wilburn filed her Emergency Motion for Continuance and Brief. (Dkt. # 258 and 259)

2. On November 2, 2019 Mr. Robert Fanning died. His funeral service has been scheduled for November 12, 2019 at 3:00 pm.

3. The trial of the case is scheduled to begin on November 7, 2019 and is expected

to last through, approximately, November 15, 2019.

III.
ARGUMENT AND AUTHORITIES

1. In her Emergency Motion for Continuance (Dkt. #258 and 259), Defendant Amy Wilburn presented a number of bases in support of her motion for continuance. Defendant incorporates each of the bases as if set out verbatim herein.

2. Since the filing of Defendant's Emergency Motion for Continuance, a new basis has occurred which supports a brief continuance of the trial. Defendant's lead counsel desires to attend the funeral service of Mr. Fanning and respectfully asks the Court to continue the trial of this case to allow him to do so.

IV.
CONCLUSION

For the reasons stated in her Emergency Motion for Continuance (Dkt. #258 and #259) and for the reasons stated in this Second Supplement, Defendant respectfully asks the court to continue the trial of this case.

Respectfully submitted,

/s/ Thomas P. Brandt

THOMAS P. BRANDT

State Bar No. 02883500

tbrandt@fhmbk.com

JOHN F. ROEHM, III

State Bar No. 17157500

jroehm@fhmbk.com

CHRISTOPHER T. BRANDT

State Bar No. 24095984

cbrandt@fhmbk.com

FANNING HARPER MARTINSON

BRANDT & KUTCHIN, P.C.

Two Energy Square

4849 Greenville Ave., Suite 1300

Dallas, Texas 75206

(214) 369-1300 (telephone)

(214) 987-9649 (telecopier)

**ATTORNEYS FOR DEFENDANT
AMY WILBURN**


AMY WILBURN

CERTIFICATE OF CONFERENCE

This is to certify that on October 31, 2019, I conferred with Mr. Geoff Henley, lead counsel for the Plaintiff, about this motion. Mr. Henley states that he opposed this motion.

/s/ Thomas P. Brandt
THOMAS P. BRANDT

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2019, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic filing system sent a "Notice of Electronic Filing" to the all counsels of record.

/s/ Thomas P. Brandt
THOMAS P. BRANDT